

Applicant:

Brodnick et al.

Title:

**DETECTION OF FUNCTION OF** 

IMPLANTED MEDICAL

**DEVICES** 

Appl. No.:

10/685,810

Filing Date:

10/15/2003

Examiner:

Unknown

Art Unit:

Unknown

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.

Carolyn Rainis

(Printed Name)

(Signature)

01/28/04

(Date of Deposit)

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without* 

Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

## TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

## RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

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entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 1/28/04

**FOLEY & LARDNER** 

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Attorney for Applicant Registration No. 52,801

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTC INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: January 28, 2004

(use as many sheets as necessary)

Sheet

Complete if Known				
Application Number	10/685,810			
Filing Date	10/15/2003			
First Named Inventor	Donald E. Brodnick			
Group Art Unit	Unknown			
Examiner Name	Unknown			
Attorney Docket Number	066243-0223 (128637IT)			

quired to respond to a collection of information unless it contains a valid OMB control

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Do	ocument	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant	
		Number	Kind Code <sup>2</sup> (if known)			Passages or Relevant Figures Appear	
	A1	2003/0045908		Condie et al.	03/06/2003		
	A2	6,501,983		Natarajan et al.	12/31/2002		
	A3	6,497,655		Linberg et al.	12/24/2002		
	A4	2002/0193847		Daum et al.	12/19/2002		
	A5	6,471,645		Warkentin et al.	10/29/2002		
	A6	6,468,219		Njemanze	10/22/2002		
-	A7	6,468,263		Fischell et al.	10/22/2002		
	A8	2002/0143371		Balczewski et al.	10/03/2002		
	A9	6,458,086		Franco et al.	10/01/2002		
	A10	2002/0138009		Brockway et al.	09/26/2002		
	A11	2002/0137991		Scarantino et al.	09/26/2002		
	A12	6,450,172		Hartlaub et al.	09/17/2002		
	A13	6,453,201		Daum et al.	09/17/2002		
	-						

FOREIGN PATENT DOCUMENTS								
	Cite No. <sup>1</sup>	Foreign Patent Document  Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		A14	WO 02/087696	Riff	et al.	11/07/2002		
		A15	WO 02/074386	Tho	mpson	09/26/2002		

Examiner Signature	Date Considered	

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language

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Substitute for form 1449B/PTO Complete if Known INFORMATION DISCLOSUBE JAN 3 10/685,810 **Application Number** STATEMENT BY APPLICA 10/15/2003 Filing Date First Named Inventor Donald E. Brodnick Date Submitted: January 28, 20 Group Art Unit Unknown (use as many sheets as necessary) **Examiner Name** Unknown 2 2 Attorney Docket Number 066243-0223 (128637IT) Sheet

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>			
	B1	TIMO LENSU et al., "Detection of Rectangular Pulses Using Median Based Prefil Tering", CH2872-0/90/0000-0224, 1990, IEEE, pages 224-227				
	B2	RICHARD ZINSER, "Non-linear Pulse Signature Enhancer", GE Patent Disclosure Letter System for Docket Number 32173, available at least by 10/15/03, 10 pages				
	В3	RICHARD ZINSER et al., "Switchable Combiner Algorithm for Pacemaker Pulse Detection", GE Patent Disclosure Letter System for Docket Number 32166, available at least by 10/15/03, 14 pages				
	B4	EMAD ANDARAWIS et al., "Method for Noise Discrimination in Detection of Pacemaker", GE Patent Disclosure Letter System for Docket Number 32217, available at least by 10/15/03, 5 pages				
	B5	JEFFREY ASHE et al., "Method and Apparatus for Retrofitting Pacemaker Pulse Detection Capability on Existing ECG Equipment", GE Patent Disclosure Letter System for Docket Number 32324, available at least by 10/15/03, 5 pages				
	B6	RICHARD ZINSER, "Median Filter-Based Pulse Detection Algorithm", GE Patent Disclosure Letter System for Docket Number 31807, available at least by 10/15/03, 21 pages				
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Examiner Signature	Date Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>8</sup>Applicant is to place a check mark here if English language